

New Jersey Department of Environmental Protection
DEED NOTICE & ENGINEERING CONTROL BIENNIAL CERTIFICATION
FORM

Revision Date: June 12, 2000 DN-001

I. GENERAL INFORMATION

A. Site Location:

Site Name as it appears on the Deed Notice: _____

Site Street Address: _____

Municipality: _____ County: _____ Telephone Number: (____) ____-____

Block(s) : _____ Lot(s) : _____

B. Person submitting Biennial Certification:

Name of Person: _____

Title: _____ Affiliation (i.e., name of company, etc.): _____

Street Address: _____

City: _____ State: _____ Telephone Number: (____) ____-____

C. Case And Remedial Action Information (as applicable):

Known Contaminated Site List Number (mandatory): _____ (12 characters)

ISRA I.D. Number (if applicable): E_____

Case Number (Incident Report #, if applicable): ____-____-____-____ (10 or 12 digits)

UST Registration Number (if applicable): _____ (7 digits)

Date Deed Notice was filed in the office of the county recording officer: _____

Has the Department established a Classification Exception Area as part of the remediation of the site?

Yes _____ No _____

If yes, provide the date that the Classification Exception Area Biennial Certification Form is due to be submitted?

II. DEED NOTICE

A. Deed Notice:

- On what date was the Deed Notice and all referenced Exhibits located in the office of the county recording officer (must be within six months prior to the date biennial certification is submitted): _____

- Information on individual who checked for filing of Deed Notice as indicated above:

Name of Person: _____

Title: _____ Affiliation (i.e., business, etc.): _____

Street Address: _____

City: _____ State: _____ Zip Code: _____ - _____ Telephone Number: (____) _____ - _____

Have any amendments and or additional filings been recorded that may modify, nullify or supersede the Deed Notice and Exhibits?

Yes _____ No _____

If you answered "Yes", explain how you corrected the problem.

B. Land Use:

- Land use at the time the deed notice was filed (Circle all that apply): Non-Residential Residential Agricultural Other _____

- Current land use (Circle all that apply): Non-Residential Residential Agricultural Other _____

If the current land use is different than the land use at the time the Deed Notice was filed, explain how the remedial action, which included the Deed Notice, remains protective of public health and safety. Include the case manager's name that approved this change, if applicable.

C. Disturbance of Affected Area:

- Has any disturbance of the engineering control taken place within the restricted area(s) enumerated in the deed notice, since the last biennial certification or No Further Action letter, whichever is more recent?

Yes _____ No _____

If yes, explain. (Attachments may be submitted if necessary)

- Date(s) of Disturbance: _____
- Duration of Disturbance: years _____ months _____ days _____
- Individual responsible for conducting the disturbance:

Contact Person: _____

Title: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____ - _____ Telephone Number: (____) _____ - _____

C. Disturbance of Restricted Area(continued):

- Provide date(s) / notification(s) that were made to the individual responsible for conducting disturbances.

- Was all soil excavated and returned to the restricted area?

Yes _____ No _____ (If no explain) _____

- Quantity of soil generated for disposal (if applicable): _____ tons _____ cu. yds.

Attach Transportation/disposal documentation

- State precautions taken during above activities to prevent contaminant exposure: _____

- If applicable, was the engineering control replaced following the disturbance?

Yes _____ No _____ N/A _____

III. ENGINEERING CONTROL(s)

A. Engineering Control(s) (as applicable):

- Is there one or more engineering controls referenced in the Deed Notice?

Yes _____ No _____

- If you answered “Yes” to the previous question please complete below (for each engineering control copy this sheet and attach separate sheets as necessary)

List and describe each engineering control. (i.e., soil/vegetative cap, other cap, fencing, slurry walls, etc.):

Describe the periodic monitoring and maintenance that is necessary to ensure that each engineering control continues to operate as designed in order to be protective of the public health and safety and of the environment:

B. Engineering/Institutional Control(s) (as applicable):

Attach or describe here, the records of the self-inspections, dates of the inspections, name of the inspector, inspection results, maintenance records, and current condition of the engineering control:

- Are all institutional and engineering controls (as applicable) operating as designed and intended to ensure protection of public health and safety and of the environment?

Yes _____ No _____

- If you answered “Yes” to the previous questions describe here and attach all other relevant documentation, information or data:

IV. CERTIFICATION

A. Person Responsible for the Biennial Certification:

The following certification shall be signed according to N.J.A.C. 7:26E-1.5, N.J.A.C. 7:26C-1.2 and the covenant not to sue as follows:

1. For a Corporation by a person authorized by a resolution of the board of directors to sign the document. A copy of the resolution, certified as a true copy by the secretary of the corporation, shall be submitted along with the certification; or
2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
3. For a municipality, State, federal or other public agency by either a principal executive officer or ranking elected Official.

"I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge I believe that the submitted information is true, accurate, and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate, or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement, which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties."

I also understand that in order to maintain the benefits of the Covenant Not to Sue, the engineering and institutional controls (as applicable) must be evaluated and maintained to remain protective of public health and safety and of the environment.

Based upon all of the information that I have provided above, I hereby certify that the remedial action(s) for which this Deed Notice and Engineering Control remain protective of public health and safety and of the environment.

Name (print or Type): _____ Title: _____

Signature: _____

Company Name: _____ Date: _____

Submit To:

If a No Further Action/Covenant Not to Sue has been issued, this information shall be submitted every two years to:

Department of Environmental Protection
Division of Responsible Party Site Remediation
Bureau of Case Management – Attention: Deed Notice Inspection Manager
P.O. Box 028
401 E. State Street
Trenton, NJ 08625

Or

If a No Further Action/Covenant Not to Sue has been issued for an area of concern(s) prior to the conclusion of the case then submit this information to your assigned case manager.